

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KRYSTAL BENNETT and PATRICIA HOWARD,

Plaintiffs,

-against-

THE CITY OF NEW YORK, a Municipal Corporation;
NYPD Officer PABON, NYPD Officer HERTIER, and
LT. Jeffery Gantt,

Defendants.
----- X

**RULE 68 OFFER OF
JUDGMENT TO PLAINTIFF
KRYSTAL BENNETT**

Index No. 08 CV 0914 (GEL)

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, defendant City of New York hereby offers to allow plaintiff Krystal Bennett to take judgment against it in this action for the sum of Fifty Thousand and One (\$50,001.00) Dollars, plus reasonable attorneys' fees, expenses, and costs arising out of her claims asserted pursuant to 42 U.S.C. § 1983, to the date of this offer.

This judgment shall be in full satisfaction of all claims or rights that plaintiff Krystal Bennett may have to damages, or any other form of relief, arising out of the alleged acts or omissions of defendants City of New York, Lt. Jeffrey Gantt, and Police Officers Oscar Hetier, and David Pabon, and any official or employee, either past or present, of the City of New York, or any agency thereof, in connection with the facts and circumstances that are the subject of this action, including plaintiff's arrests on September 26, 2007 and June 25, 2008.

This offer of judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure, and is not to be construed as an admission of liability by any

defendant, official or employee of the City of New York, or any agency thereof, nor is it an admission that plaintiff has suffered any damages.

Acceptance of this offer of judgment will act to release and discharge defendants City of New York, Lt. Jeffrey Gantt, and Police Officers Oscar Hetier, and David Pabon, their successors and assigns, and all past and present officials, employees, representatives and agents of the New York City Police Department and the City of New York from any and all claims under state or federal law that were or could have been alleged by plaintiff Krystal Bennett in the above-referenced action, including all claims related to plaintiff's arrests on September 26, 2007 and June 25, 2008. Acceptance of this offer of judgment also will operate to waive plaintiff's right to any claim for interest on the amount of the judgment. Plaintiff Krystal Bennett agrees that payment of Fifty Thousand and One (\$50,001.00) Dollars within 90 days of the date of acceptance of the offer shall be a reasonable time for such payment.

The judgment shall contain and recite the terms and conditions set forth herein.

Dated: New York, New York
December 12, 2008

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorneys for Defendants
100 Church Street
New York, New York 10007
(212) 788-0906

By: 

Brian G. Maxey
Assistant Corporation Counsel
Special Federal Litigation Division

Robert L. Herbst (RLH-8851)
Rachel M. Kleinman(RK-2141)
BELDOCK LEVINE & HOFFMAN LLP
99 Park Avenue
New York, New York 10016
(212) 490-0400
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KRYSTAL BENNETT and PATRICIA HOWARD,

**ECF CASE
08cv0914 (GEL)**

Plaintiffs,

-against-

**ACCEPTANCE OF
RULE 68 OFFER OF
JUDGEMENT**

THE CITY OF NEW YORK, a Municipal Corporation;
NYPD Officer DAVID PABON, NYPD LIEUTENANT
JEFFREY GANTT, NYPD Officer OSCAR HERTIER; and
NYPD Officer JANE DOE, individually and in their
official capacities,

Defendants.
-----X

PLEASE TAKE NOTICE that plaintiff KRYSTAL BENNETT, by her attorneys Beldock
Levine & Hoffman LLP, accepts the defendant City of New York's Rule 68 Offer of Judgment
dated December 12, 2008, in the amount of Fifty Thousand and One (\$50,001.00) Dollars plus
reasonable attorneys' fees, expenses, and costs arising out of her claims asserted pursuant to 42
U.S.C. § 1983, to the date of this offer.

Dated: New York, New York
December 16, 2008

BELDOCK LEVINE & HOFFMAN LLP

By: 
Rachel M. Kleinman

To: Brian Maxey, Esq.
Assistant Corporation Counsel
New York City Department of Law
100 Church Street
New York, New York 10007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KRYSTAL BENNETT and PATRICIA HOWARD,

Plaintiffs,

-against-

THE CITY OF NEW YORK, a Municipal Corporation;
NYPD Officer PABON, NYPD Officer HERTIER, and
LT. Jeffery Gantt,

Defendants.
----- X

**RULE 68 OFFER OF
JUDGMENT TO PLAINTIFF
PATRICIA HOWARD**

Index No. 08 CV 0914 (GEL)

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, defendant City of New York hereby offers to allow plaintiff Patricia Howard to take judgment against it in this action for the sum of Twenty Thousand and One (\$20,001.00) Dollars, plus reasonable attorneys' fees, expenses, and costs arising out of her claims asserted pursuant to 42 U.S.C. § 1983, to the date of this offer.

This judgment shall be in full satisfaction of all claims or rights that plaintiff Patricia Howard may have to damages, or any other form of relief, arising out of the alleged acts or omissions of defendants City of New York, Lt. Jeffrey Gantt, and Police Officers Oscar Hetier, and David Pabon, and any official or employee, either past or present, of the City of New York, or any agency thereof, in connection with the facts and circumstances that are the subject of this action.

This offer of judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure, and is not to be construed as an admission of liability by any

defendant, official or employee of the City of New York, or any agency thereof, nor is it an admission that plaintiff has suffered any damages.

Acceptance of this offer of judgment will act to release and discharge defendants City of New York, Lt. Jeffrey Gantt, and Police Officers Oscar Hetier, and David Pabon, their successors and assigns, and all past and present officials, employees, representatives and agents of the New York City Police Department and the City of New York from any and all claims under state or federal law that were or could have been alleged by plaintiff Patricia Howard in the above-referenced action. Acceptance of this offer of judgment also will operate to waive plaintiff's right to any claim for interest on the amount of the judgment. Plaintiff Patricia Howard agrees that payment of Twenty Thousand and One (\$20,001.00) Dollars within 90 days of the date of acceptance of the offer shall be a reasonable time for such payment.

The judgment shall contain and recite the terms and conditions set forth herein.

Dated: New York, New York
December 12, 2008

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorneys for Defendants
100 Church Street
New York, New York 10007
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By: 

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KRYSTAL BENNETT and PATRICIA HOWARD,

**ECF CASE
08cv0914 (GEL)**

Plaintiffs,

-against-

**ACCEPTANCE OF
RULE 68 OFFER OF
JUDGEMENT**

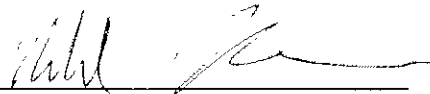
THE CITY OF NEW YORK, a Municipal Corporation;
NYPD Officer DAVID PABON, NYPD LIEUTENANT
JEFFREY GANTT, NYPD Officer OSCAR HERTIER; and
NYPD Officer JANE DOE, individually and in their
official capacities,

Defendants.
-----X

PLEASE TAKE NOTICE that plaintiff PATRICIA HOWARD, by her attorneys Beldock
Levine & Hoffman LLP, accepts the defendant City of New York's Rule 68 Offer of Judgment
dated December 12, 2008, in the amount of Twenty Thousand and One (\$20,001.00) Dollars plus
reasonable attorneys' fees, expenses, and costs arising out of her claims asserted pursuant to 42
U.S.C. § 1983, to the date of this offer.

Dated: New York, New York
December 16, 2008

BELDOCK LEVINE & HOFFMAN LLP

By: 
Rachel M. Kleinman

To: Brian Maxey, Esq.
Assistant Corporation Counsel
New York City Department of Law
100 Church Street
New York, New York 10007